

REMARKS/ARGUMENTS

Claims 1-20 remain in this application.

1. § 103 Rejections

The Examiner has rejected claims 1-20 under 35 U.S.C. § 103(a) as being unpatentable over Hu et al (US 6,501,260) in view of Guttman et al (US 5,949,534)

The Examiner has indicated that the Hu reference may be able to be disqualified for use under 35 U.S.C. § 103 (a) if a statement of common ownership at the time this invention was made can be submitted.

35 U.S.C. § 103 (c)(1) provides that subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

As such, the following statement of common ownership is provided:
The subject matter of Hu et al (US 6,501,260) and the claimed invention of application Serial No. 10/733903 were, at the time the claimed invention was made, assigned or subject to an obligation of assignment to Corning Incorporated.

Applicant respectfully requests the removal of this rejection.

Based upon the above amendments, remarks, and papers of records, applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this

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Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to Deposit Account 03-3325.

Please direct any questions or comments to the undersigned.

Respectfully submitted,

DATE: 3/23/2007

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